

# DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled OPTICAL MICROSWITCH

the specification of which

(check  
one)

☐

is attached hereto.

☒

was filed on August 17, 1998 as

Application Serial No. 09/135,236

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐
☐

Yes

No

☐
☐

Yes

No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/071,038

(Application Serial No.)

January 31, 1998

(Filing Date)

Pending

(Status)

(patented, pending, abandoned)

08/823,422

(Application Serial No.)

March 24, 1997

(Filing Date)

Pending

(Status)

(patented, pending, abandoned)

Direct all telephone calls to EDWARD M. BACHAND at (650) 494-8700.

Address all correspondence to:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111

File No. A-66163/JAS/ENB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first inventor:

JOHN H. JERMAN

Inventor's signature:



Date:

Oct 21, 1998

Residence:

Palo Alto, CA 94306

Citizenship:

US

Post Office Address:

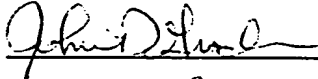
3056 Ramona Street

Palo Alto, CA 94306

Full name of second  
inventor:

JOHN D. GRADE

Inventor's signature:



Date:

10-21-98

Residence:

Mountain View, CA 94040

Citizenship:

US

Post Office Address:

400 Ortega Avenue, #217

Mountain View, CA 94040

Full name of third  
inventor:

JOSEPH D. DRAKE

Inventor's signature:

*Joseph D. Drake*

Date:

10-21-98

Residence:

Mountain View, CA 94040

Citizenship:

US

Post Office Address:

550 Ortega Avenue, #8126

Mountain View, CA 94040

Full name of fourth  
inventor:

KURT E. PETERSEN

Inventor's signature:

*Kurt E. Petersen*

Date:

10/21/98

Residence:

San Jose, CA 95148

Citizenship:

US

Post Office Address:

3655 Valley Ridge Lane

San Jose, CA 95148

# RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## PATENTS ONLY

To the Honorable Assistant Commissioner for Patents and Trademarks. Please record the attached original documents or copy thereof.

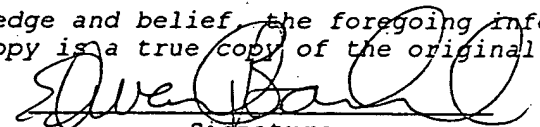
<p>1. Name of conveying party(ies):</p> <p>John H. JERMAN; John D. GRADE; Joseph D. DRAKE; Kurt E. PETERSEN.</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>SEAGATE TECHNOLOGY, INC.</u></p> <p>Internal Address: _____</p> <p>Street Address: <u>920 Disc Drive</u></p> <p>City: <u>Scotts Valley</u></p> <p>State: <u>CA</u> Zip: <u>95666</u></p> <p>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p>3. Nature of Conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other _____</p> <p>Execution Date: <u>10/21/98</u></p>	<p>4. Application number(s) or patent number(s):</p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p> <table border="1"> <tr> <td style="vertical-align: top;"> <p>A. Patent Application No. (s)</p> <p>USSN 09/135,236 filed 08/17/98</p> </td> <td style="vertical-align: top;"> <p>B. Patent No. (s)</p> </td> </tr> </table> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>A. Patent Application No. (s)</p> <p>USSN 09/135,236 filed 08/17/98</p>	<p>B. Patent No. (s)</p>
<p>A. Patent Application No. (s)</p> <p>USSN 09/135,236 filed 08/17/98</p>	<p>B. Patent No. (s)</p>		

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>EDWARD N. BACHAND</u></p> <p>Internal Address: <u>FLEHR HOHBACH TEST</u> <u>ALBRITTON &amp; HERBERT LLP</u></p> <p>Street Address: <u>SUITE 3400</u> <u>FOUR EMBARCADERO CENTER</u></p> <p>City: <u>SAN FRANCISCO</u></p> <p>State: <u>CA</u> Zip: <u>94111-4187</u></p>	<p>6. Total number of applications and patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41): .....\$ <u>40.00</u></p> <p><input checked="" type="checkbox"/> Enclosed</p> <p><input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: <u>06-1300</u></p> <p>Please debit any underpayment or credit any overpayment to the above deposit account.</p> <p>Our Order No. _____</p>
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DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

EDWARD N. BACHAND  October 26, 1998

Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments and document: [ 5 ]

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:  
Honorable Commissioner of Patents and Trademarks, Box Assignments  
Washington, DC 20231

File No. A-66163/JAS/ENB

Rev. 8/93 121122

ASSIGNMENT  
(NOT ACCOMPANYING APPLICATION)

WHEREAS, the undersigned,

(1) JOHN H. JERMAN, (2) JOHN D. GRADE,  
(3) JOSEPH D. DRAKE, (4) KURT E. PETERSEN,  
(hereinafter termed "Inventors"), residents of

(1) Palo Alto, (2) Mountain View,  
(3) Mountain View, (4) San Jose,  
respectively, Counties of

(1) Santa Clara, (2) Santa Clara,  
(3) Santa Clara, (4) Santa Clara,  
respectively, States of

(1) California, (2) California,  
(3) California, (4) California,  
respectively, have invented certain new and useful improvements in

OPTICAL MICROSWITCH

and have executed an application for a United States patent disclosing and identifying the invention on the 17th day of August, 1998; and having Serial No. 09/135,236 and filing date of August 17, 1998; and

WHEREAS, SEAGATE TECHNOLOGY, INC.

a corporation of the State of Delaware, having a place of business at 920 Disc Drive, Scotts Valley 95066, State of California, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on

said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.


3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed and delivered this instrument to said Assignee this

(1) 21<sup>st</sup> day of October, 1998, (2) 21<sup>st</sup> day of October, 1998  
(3) 21<sup>st</sup> day of October, 1998, (4) 21<sup>st</sup> day of October, 1998  
respectively.

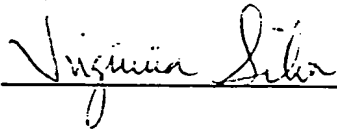
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State of CALIFORNIA

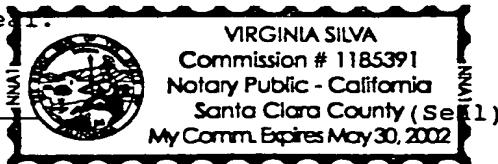
(1)   
JOHN H. JERMAN  
, )  
) ss.  
, )

On this 21<sup>st</sup> day of October, in the year 1998, before me,  
Virginia Silva, Notary Public of the State of  
California, personally appeared (1) JOHN H. JERMAN,  
personally known to me (or proved to me on the basis of satisfactory evidence)  
to be the person whose name is subscribed to the within instrument, and  
acknowledged that he/she executed the same in his/her authorized  
capacity(ies), and that by his/her signature on the instrument the person, or  
the entity upon behalf of which the person acted, executed the instrument.


WITNESS my hand and official seal.

Signature





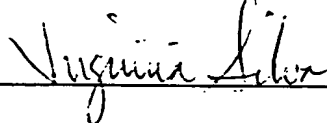
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State of CALIFORNIA

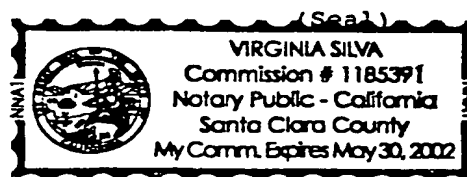
(2)   
JOHN D. GRADE  
, )  
) ss.  
, )

On this 21<sup>st</sup> day of October, in the year 1998, before me,  
Virginia Silva, Notary Public of the State of  
California, personally appeared (2) JOHN D. GRADE,  
personally known to me (or proved to me on the basis of satisfactory evidence)  
to be the person whose name is subscribed to the within instrument, and  
acknowledged that he/she executed the same in his/her authorized  
capacity(ies), and that by his/her signature on the instrument the person, or  
the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature





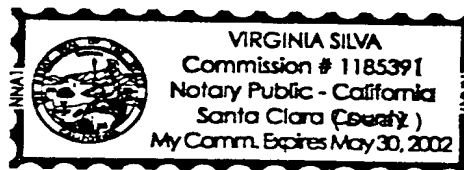
County of SANTA CLARA  
State of CALIFORNIA

(3) Joseph D. Drake  
JOSEPH D. DRAKE  
, )  
) ss.  
, )

On this 21<sup>st</sup> day of October, in the year 1998, before me,  
Virginia Silva, Notary Public of the State of  
California, personally appeared (3) JOSEPH D. DRAKE,  
personally known to me (or proved to me on the basis of satisfactory evidence)  
to be the person whose name is subscribed to the within instrument, and  
acknowledged that he/she executed the same in his/her authorized  
capacity(ies), and that by his/her signature on the instrument the person, or  
the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Virginia Silva



(4) Kurt E. Petersen  
KURT E. PETERSEN

County of SANTA CLARA  
State of CALIFORNIA

, )  
) ss.  
, )

On this 21<sup>st</sup> day of October, in the year 1998, before me,  
Virginia Silva, Notary Public of the State of  
California, personally appeared (4) KURT E. PETERSEN,  
personally known to me (or proved to me on the basis of satisfactory evidence)  
to be the person whose name is subscribed to the within instrument, and  
acknowledged that he/she executed the same in his/her authorized  
capacity(ies), and that by his/her signature on the instrument the person, or  
the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Virginia Silva

(Seal)

